

REMARKS / ARGUMENTS

In the above-mentioned Office Action, all of the pending claims, claims 1-10, were rejected. Claims 1, 3-4, and 6-9 under Section 103(a) over the combination of Kim and a TSG-RAN working group 2 document. And, claims 2, 5, and 10 were rejected under Section 103(a) over the combination of Kim, TSG-RAN working group 2 document, and well-known prior art.

Responsive to the rejections of the claims, the independent claims, claims 1, 3 and 6, as noted herein, in manners believed better to distinguish the invention of the present application over the cited references.

With respect to exemplary claim 1, the recitation of receiving is amended, now to state the reconfiguration command includes an activation time that identifies a delay of application of a reconfiguration until the activation time have been reached. Independent claims 3 and 6 have been analogously amended.

Support for the amendments is found in the disclosure, e.g., in paragraph [0031], lines 1-3, which states that the cell update procedure is delayed until the activation time of the reconfiguration has been reached and the new configuration applied.

The Applicants assert that neither Kim nor the TSG-RAN working group 2 document disclose the reception of a reconfiguration command having the activation time that identifies a delay of application of a reconfiguration until the actuation time has been reached. Accordingly, the Applicants respectfully traverse the rejection of the independent claims over the cited combination of references.

In the rejection, the Examiner relied upon Kim for showing the reception of a reconfiguration command including an activation time. And, the Examiner noted that a reconfiguration process inherently includes an activation time. The Examiner

acknowledged that Kim does not specifically disclose delaying initiation of a cell update until reconfiguration has been applied but relied upon the TSG-RAN working group 2 document for such disclosure.

The Applicants acknowledge that Figure 2 of Kim discloses a radio bearer reconfiguration RRC message at step 201, which is stated to include an MBMS(Multi-Bearer/ Multicast Service) timing offset information. The Applicants assert, however, that:

1. The MBMS timing offset is not the equivalent of an activation time, and
2. An inherent activation time is not the equivalent of the recited activation time that identifies a delay of application of a reconfiguration until the activation time has been reached.

The MBMS timing offset appears to be described in paragraph [0031]-[0035] of Kim and appears to relate to a timing relationship between nodes of the disclosed system. (see specifically paragraph [0032].) Such a timing offset is different than an activation time that identifies a delay of application of a reconfiguration.

And, with respect to the Examiner's statement regarding inherency of an activation time in a reconfiguration process. Assuming such a statement to be accurate, however, such an inherency would still limit the activation time of a reconfiguration process to be a set time and not a time identified in a reconfiguration command. That is to say, if merely inherent, an activation time would have to be a fixed time, a designated time subsequent to receipt of a reconfiguration command. In contrast, by including an activation time in the reconfiguration command, as now recited to identify a delay of application of a reconfiguration until the activation has been reached, the activation time is configurable.

For these reasons, therefore, the Applicants assert that the recited invention of claims 1, 6, and 8, as now-presented, is distinguishable over the combination of Kim and the TSG-RAN working group 2 document.

The dependent claims, which include of the limitations of their respective parent claims, are believed to be patentably distinguishable over the cited combination for the same reasons as those given with respect to their parent claims.

The claims thus provide a solution to the problem of how to handle an event that requires a cell update, the event occurring while a reconfiguration procedure is ongoing. Neither Kim nor the TSG-RAN working group 2 document address this problem, nor do they provide structure or method to solve this problem.

Accordingly, in light of the forgoing, independent claims 1, 6, and 8, as now-presented, and the dependent claims dependent thereon, are believed to be in condition for allowance. Reexamination and reconsideration for allowance of the claims is, therefore, respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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